

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

In re:

Albert Anthony Verone,

Case No. GL 21-02397

Chapter 7

Hon. John T. Gregg

Debtor. /

**MOTION TO DISMISS CASE PURSUANT TO 11 U.S.C. § 707(a)**

Andrew R. Vara, United States Trustee for Regions 3 and 9, pursuant to his authority under 11 U.S.C. § 307, states the following in support of his Motion to Dismiss Case Pursuant to 11 U.S.C. § 707(a):

1. The Debtor, with the assistance of professional bankruptcy counsel, filed a voluntary chapter 7 petition on October 26, 2021.

2. The Debtor has not filed a certificate from an approved nonprofit budget and credit counseling agency or a copy of the debt repayment plan from such credit counseling agency as 11 U.S.C. § 521(b) requires. Fed. R. Bankr. P. 1007(c) requires the Debtor to file these documents with the petition for relief.

3. The Debtor's failure to file this required document justifies dismissal of this case under 11 U.S.C. § 707(a).

4. Further, to the extent that the Debtor did not timely seek and obtain credit counseling, the Debtor is not eligible for relief under Title 11 pursuant to 11 U.S.C. § 109(h)(1) which provides further justification for dismissal of this case for cause under 11 U.S.C. § 707(a).

5. Furthermore, 11 U.S.C. Section 521(a)(1) requires the Debtor to file a schedule of

assets and liabilities, a schedule of current income and expenditures, and a statement of financial affairs. Fed. R. Bankr. P. 1007(c) requires the Debtor to file these documents with the petition for relief or within fourteen (14) days after the filing of the petition for relief if the Debtor files a list of all creditors and their addresses with the petition.

5. Specifically, the Debtor has not filed a complete statement of financial affairs as Part 2, questions 4 and 5 do not list current year and two prior years of income.

WHEREFORE, pursuant to 11 U.S.C. § 707(a) the U.S. Trustee respectfully asks that this Court dismiss this proceeding and provide such other relief as is just and appropriate.

Respectfully submitted,

ANDREW R. VARA  
United States Trustee  
Regions 3 and 9

Dated: November 10, 2021

By: /s/ Kenneth G. Lau  
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